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### REMARKS

Applicant gratefully acknowledges the telephonic interviews with the Examiner conducted on April 1 and 3, 2003. Applicant has attempted to address the issues raised by the Examiner in the interviews with this response.

Applicant requests reconsideration of the application in view of the preceding amendments and the following remarks. Claims 22-30 have been cancelled. Claims 1, 6 and 31 have been amended. Claims 1-21 and 31-44 are pending. Claims 1, 5, 6, 11, 31 and 42 are independent claims. No new matter has been added in making the amendments herein.

Support for the amendments to the claims is found in the specification and drawings as filed. No new matter has been added in making the amendments herein.

### RESTRICTION REQUIREMENT

Applicant has elected to prosecute the invention of Group I, claims 1-21 and 31-44 without traverse. Claims 22-30 have been cancelled.

### DRAWING OBJECTIONS

The Examiner objected to the drawings as not showing every feature of the invention specified in claim 40. Specifically, the Examiner indicated that the "movable robotic arm" is not illustrated in the drawings. In the telephonic interview on April 3, 2003, it was submitted, and the Examiner apparently agreed that it is not necessary to illustrate the "movable robotic arm" in the drawings because the specification, at pg. 34, ln. 22, to pg. 35, ln. 3, defines the "movable robotic arm" as an alternative embodiment of the measuring station 58, which is illustrated in Fig. 3. Applicant respectfully requests that the objection be withdrawn.

### 35 U.S.C. §102 REJECTIONS

The Examiner rejected claims 1, 5, 6, 11, 18, 31, 34, 35, 39, 41 and 42 under 35 U.S.C. §102(a) as being anticipated by Murray et al., U.S. Patent No. 3,790,794. Applicant respectfully traverses this rejection.

Applicant has amended independent claim 1 to recite that the calorimeter controller controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter. Support for the amendment is found in the specification at pg. 7, ll. 12-19, pg. 9, ll. 6-17, and pg. 19, ln. 16 to pg. 20, ln. 3. It was submitted in the telephonic interview on April 1, 2003, and the Examiner apparently agreed, that Murray et al. neither teaches nor discloses this limitation.

As the Examiner noted in the telephonic interview on April 1, 2003, Murray et al. teaches a controller that determines the radiation dose provided by determining the temperature change in a sphere. See Murray et al. at col. 3, ln. 43, to col. 4, ln. 15. However, as was submitted in the telephonic interview on April 1, 2003, and the Examiner apparently agreed, nowhere in Murray et al. is a controller disclosed that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter.

It is respectfully asserted that independent claim 1 is allowable over the cited reference. It is further respectfully asserted that claim 5, which depends on claim 1, is also allowable over the cited reference.

Applicant has amended claims 6 and 31 to recite that the calorimeter controller is configured to perform a dosimetry control method that comprises providing a dose of radiation and measuring the temperature of the calorimeter at an interval determined by the calorimeter controller based on the dose of radiation provided. Support for these amendments is found in the specification at pg. 7, lns. 12-19, pg. 9, lns. 6-17, and pg. 19, ln. 22 to pg. 20, ln. 3. It was

submitted in the telephonic interview on April 1, 2003, and the Examiner apparently agreed, that Murray et al. neither teaches nor discloses this limitation.

As noted previously, the controller disclosed in Murray et al. does not control the time interval between emitting a radiation dose and measuring the temperature of the calorimeter. Therefore, as was submitted in the telephonic interview on April 1, 2003, and the Examiner apparently agreed, the controller disclosed in Murray et al. cannot be configured to perform a dosimetry control method comprising providing a dose of radiation and measuring the temperature of the calorimeter at an interval determined by the calorimeter controller based on the dose of radiation provided.

It is respectfully asserted that independent claims 6 and 31 are allowable over the cited reference. It is further respectfully asserted that claims 34, 35 and 41, which depend on claim 31, are also allowable over the cited reference.

It was submitted in the telephonic interview on April 1, 2003, and the Examiner apparently agreed, that because the controller disclosed in Murray et al. does not control the time interval between emitting a radiation dose and measuring the temperature of the calorimeter, Murray et al. neither teaches nor discloses a method comprising repeating the steps of measuring an initial calorimeter temperature, irradiating the calorimeter with a dose of radiation and measuring a subsequent calorimeter temperature at an interval determined by the calorimeter controller, as recited in independent claims 11 and 42. Therefore, it is respectfully asserted that independent claims 11 and 42 are allowable over the cited reference. It is further respectfully asserted that claims 18 and 39, which depend on claim 11, are also allowable over the cited reference. Applicant respectfully asks that the rejection be withdrawn.

**35 U.S.C. §103 REJECTIONS**

The Examiner rejected claims 2-4, 7-10, 14, 15, 32, 33, 43 and 44 under 35 U.S.C. §103(a) as being unpatentable over Murray et al. in view of Douglas-Hamilton et al., U.S. Patent No. 4,812, 663. Applicant respectfully traverses this rejection.

As noted previously, independent claims 1, 5, 6, 11, 31 and 42 are allowable over Murray et al., which neither teaches nor discloses a controller that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter, as recited in those claims. It is further respectfully submitted that nowhere in Douglas-Hamilton et al. is a controller disclosed that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter.

It is respectfully asserted that independent claims 1, 5, 6, 11, 31 and 42 are allowable over the cited references. Therefore, claims 2-4, which depend on claim 1, claims 7-10, which depend on claim 6, claims 14 and 15, which depend on claim 11, and claims 32, 33, 43 and 44, which depend on claim 31, are also allowable over the cited references.

The Examiner rejected claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over Murray et al. in view of Bowen et al. (App. Note #4, ILX Lightwave). Applicant respectfully traverses this rejection.

As noted previously, independent claim 11 is allowable over Murray et al., which neither teaches nor discloses a controller that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter. It is further respectfully submitted that nowhere in Bowen et al. is a controller disclosed that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter.

It is respectfully asserted that independent claim 11 is allowable over the cited references. It is further respectfully asserted that claims 12 and 13, which depend on claim 11, are also allowable over the cited references.

The Examiner rejected claims 16 and 17 under 35 U.S.C. §103(a) as being unpatentable over Murray et al. in view of Douglas-Hamilton et al., as applied to claims 11, 14 and 15, in further view of Bowen et al. Applicant respectfully traverses this rejection.

As noted previously, independent claim 11 is allowable over Murray et al., Douglas-Hamilton et al. and Bowen et al, none of which nor the combination thereof teaches or discloses a controller that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter. Therefore, it is respectfully asserted that claims 16 and 17, which depend on claim 11, are also allowable over the cited references.

The Examiner rejected claims 19-21 and 36-38 under 35 U.S.C. §103(a) as being unpatentable over Murray et al. in view of Ichihara, U.S. Patent No. 6,030,554. Applicant respectfully traverses this rejection.

As noted previously, independent claims 11 and 31 are allowable over Murray et al., which neither teaches nor discloses a controller that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter, as recited in those claims. It is further respectfully submitted that nowhere in Ichihara is a controller disclosed that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter.

It is respectfully asserted that independent claims 11 and 31 are allowable over the cited references. It is further respectfully asserted that claims 19-21, which depend on claim 11, and claims 36-38, which depend on claim 31, are also allowable over the cited references.

The Examiner rejected claim 40 under 35 U.S.C. §103(a) as being unpatentable over Murray et al. in view of Yamaguchi et al. (JP 7-198513). Applicant respectfully traverses this rejection.

As noted previously, independent claim 31 is allowable over Murray et al., which neither teaches nor discloses a controller that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter, as recited in those claims. It is further respectfully submitted that nowhere in Yamaguchi et al. is a controller disclosed that controls the time interval between emitting a radiation dose and measuring the temperature of the calorimeter.

It is respectfully asserted that independent claim 31 is allowable over the cited references. It is further respectfully asserted that claim 40, which depends on claim 31, is also allowable over the cited references.

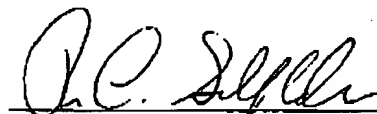
CONCLUSION

Applicant has attempted to respond to each and every objection and rejection set forth in the outstanding Office action. In light of the above amendments and remarks, applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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